

Message Text

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INFO AMEMBASSY COPENHAGEN IMMEDIATE
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MEXICO FOR AMB RIDGWAY, HEAD US FISH DEL.

C O R R E C T E D C O P Y (1) ADDITION TO CAPTION, 2) CORRECTION
OF TEXT TO SHOW INSERTION OF ARTICLE XIV, ARTICLE XV, AND
ANNEX I, 3) FIRST LINE TEXT OMITTED ARTICLE XVI)

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E.O. 11652: N/A

TAGS: EFIS, UR,JA, KS, TW, RO, BU

SUBJECT: DRAFT GOVERNING INTERNATIONAL FISHERY AGREEMENT

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REF: STATE 174513; STATE 173148; STATE 168077; STATE 177102

1. SUMMARY: ACTION ADDRESSEE EMBASSIES REQUESTED TO PROVIDE HOST GOVERNMENTS COPY OF FOLLOWING DRAFT GOVERNING INTERNATIONAL FISHERY AGREEMENT, WITH COUNTRY NAME INSERTED AS APPROPRIATE, FOR UPCOMING BILATERAL FISHERY NEGOTIATIONS:

2. BEGIN TEXT:

D R A F T

AGREEMENT

BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA
AND THE GOVERNMENT OF _____ CONCERNING
FISHERIES OFF THE COASTS OF
THE UNITED STATES

THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND
THE GOVERNMENT OF-----

CONSIDERING THEIR COMMON CONCERN FOR THE RATIONAL
MANAGEMENT, CONSERVATION AND OPTIMUM UTILIZATION OF
FISH STOCKS OFF THE COASTS OF THE UNITED STATES;

RECOGNIZING THAT THE UNITED STATES HAS ESTABLISHED
A FISHERY CONSERVATION ZONE WITHIN 200 NAUTICAL MILES
OF ITS COASTS WITHIN WHICH THE UNITED STATES EXERCISES
FISHERY MANAGEMENT AUTHORITY OVER ALL FISH AND THAT THE
UNITED STATES ALSO EXERCISES SUCH AUTHORITY OVER THE
LIVING RESOURCES OF THE CONTINENTAL SHELF APPERTAINING
TO THE UNITED STATES AND TO ANADROMOUS SPECIES OF FISH
OF UNITED STATES ORIGIN THROUGHOUT THEIR MIGRATORY
RANGE;

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DESIROUS OF ESTABLISHING REASONABLE TERMS AND
CONDITIONS PERTAINING TO FISHERIES OF MUTUAL CONCERN
OVER WHICH THE UNITED STATES EXERCISES FISHERY MANAGE-
MENT AUTHORITY;

HAVE AGREED AS FOLLOWS:

ARTICLE I

THE PURPOSE OF THIS AGREEMENT IS TO ENSURE EFFECTIVE
CONSERVATION, OPTIMUM UTILIZATION AND RATIONAL MANAGE-
MENT OF THE FISHERIES OF MUTUAL INTEREST OFF THE COASTS
OF THE UNITED STATES AND TO ESTABLISH A COMMON UNDER-

STANDING OF THE PRINCIPLES AND PROCEDURES UNDER WHICH
FISHING MAY BE CONDUCTED BY NATIONALS AND VESSELS OF
-----FOR THE LIVING RESOURCES OVER
WHICH THE UNITED STATES EXERCISES FISHERY MANAGEMENT
AUTHORITY AS PROVIDED BY UNITED STATES LAW.

ARTICLE II

AS USED IN THIS AGREEMENT, THE TERM

1) "LIVING RESOURCES OVER WHICH THE UNITED STATES
EXERCISES FISHERY MANAGEMENT AUTHORITY" MEANS ALL FISH
WITHIN THE FISHERY CONSERVATION ZONE OF THE UNITED
STATES, EXCEPT HIGHLY MIGRATORY SPECIES, ALL ANADROMOUS
SPECIES OF FISH THAT SPAWN IN THE FRESH OR ESTUARINE
WATERS OF THE UNITED STATES AND MIGRATE TO OCEAN WATERS,
THROUGHOUT THEIR MIGRATORY RANGE, AND ALL LIVING
RESOURCES OF THE CONTINENTAL SHELF APPERTAINING TO THE
UNITED STATES;

2) "FISH" MEANS ALL FINFISH, MOLLUSCS, CRUSTACEANS,
AND OTHER FORMS OF MARINE ANIMAL AND PLANT LIFE, OTHER

THAN MARINE MAMMALS, BIRDS AND HIGHLY MIGRATORY SPECIES;

3) "FISHERY" MEANS

(A) ONE OR MORE STOCKS OF FISH THAT CAN BE
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TREATED AS A UNIT FOR PURPOSES OF CON-
SERVATION AND MANAGEMENT AND THAT ARE
IDENTIFIED ON THE BASIS OF GEOGRAPHICAL,
SCIENTIFIC, TECHNICAL, RECREATIONAL AND
ECONOMIC CHARACTERISTICS; AND

(B) ANY FISHING FOR SUCH STOCKS.

4) "FISHERY CONSERVATION ZONE" MEANS A ZONE
CONTIGUOUS TO THE TERRITORIAL SEA OF THE UNITED STATES,
THE SEAWARD BOUNDARY OF WHICH IS A LINE DRAWN IN SUCH
A MANNER THAT EACH POINT ON IT IS 200 NAUTICAL MILES
FROM THE BASELINE FROM WHICH THE BREADTH OF THE TERRI-
TORIAL SEA OF THE UNITED STATES IS MEASURED;

5) "FISHING" MEANS

(A) THE CATCHING, TAKING OR HARVESTING OF
FISH;

(B) THE ATTEMPTED CATCHING, TAKING OR HARVEST-

ING OF FISH;

(C) ANY OTHER ACTIVITY THAT CAN REASONABLY
BE EXPECTED TO RESULT IN THE CATCHING,
TAKING OR HARVESTING OF FISH; OR

(D) ANY OPERATIONS AT SEA DIRECTLY IN SUPPORT
OF, OR IN PREPARATION FOR, ANY ACTIVITY
DESCRIBED IN SUB-PARAGRAPHS (A) THROUGH
(C) ABOVE, PROVIDED THAT SUCH TERM DOES
NOT INCLUDE OTHER LEGITIMATE USES OF THE
HIGH SEAS, INCLUDING ANY SCIENTIFIC
RESEARCH ACTIVITY CONDUCTED BY A SCIENTIFIC
RESEARCH VESSEL.

6) "FISHING VESSEL" MEANS ANY VESSEL, BOAT, SHIP
OR OTHER CRAFT THAT IS USED FOR, EQUIPPED TO BE USED
FOR, OR OF A TYPE THAT IS NORMALLY USED FOR

(A) FISHING; OR
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(B) AIDING OR ASSISTING ONE OR MORE VESSELS
AT SEA IN THE PERFORMANCE OF ANY ACTIVITY

RELATING TO FISHING, INCLUDING PREPARA-
TION, SUPPLY, STORAGE, REFRIGERATION,
TRANSPORTATION OR PROCESSING;

7) "HIGHLY MIGRATORY SPECIES" MEANS SPECIES OF
TUNA WHICH IN THE COURSE OF THEIR LIFE CYCLE, SPAWN AND
MIGRATE OVER GREAT DISTANCES IN WATERS OF THE OCEAN;

8) "MARINE MAMMALS" MEANS ANY MAMMAL THAT IS
MORPHOLOGICALLY ADOPTED TO THE MARINE ENVIRONMENT,
INCLUDING SEA OTTERS AND MEMBERS OF THE ORDERS SIRENIA,
PINNIPEDIA, AND CETACEA, OR PRIMARILY INHABITS THE
MARINE ENVIRONMENT SUCH AS THE POLAR BEARS.

ARTICLE III

1) THE GOVERNMENT OF THE UNITED STATES IS WILLING
TO ALLOW ACCESS FOR FISHING VESSELS OF-----TO HARVEST,
IN ACCORDANCE WITH TERMS AND CONDITIONS TO BE ESTABLISHED
IN PERMITS ISSUED UNDER ARTICLE VI, AN ALLOCATION OF THAT
PORTION OF THE ALLOWABLE CATCH FOR A SPECIFIC FISHERY
THAT WILL NOT BE HARVESTED BY UNITED STATES FISHING
VESSELS.

2) THE UNITED STATES GOVERNMENT SHALL DETERMINE
EACH YEAR, SUBJECT TO SUCH ADJUSTMENTS AS MAY BE NECES-

SITATED BY UNFORESEEN CIRCUMSTANCES AFFECTING THE STOCKS;

(A) THE TOTAL ALLOWABLE CATCH FOR EACH FISHERY
ON THE BASIS OF THE BEST AVAILABLE
SCIENTIFIC EVIDENCE, TAKING INTO ACCOUNT
THE INTER-DEPENDENCE OF STOCKS, INTERNA-
TIONALLY ACCEPTED CRITERIA, AND ALL OTHER
RELEVANT FACTORS;

(B) THE HARVESTING CAPACITY OF UNITED STATES
FISHING VESSELS IN RESPECT OF EACH FISHERY;
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(C) THE PORTION OF THE TOTAL ALLOWABLE CATCH
FOR A SPECIFIC FISHERY THAT, ON AN ANNUAL
BASIS, WILL NOT BE HARVESTED BY UNITED
STATES FISHING VESSELS; AND

(D) THE ALLOCATION OF SUCH PORTION THAT CAN
BE MADE AVAILABLE TO QUALIFYING FISHING
VESSELS OF

3) IN IMPLEMENTATION OF PARAGRAPH 2 (D) OF THIS
ARTICLE, THE UNITED STATES SHALL DETERMINE EACH YEAR

THE MEASURES NECESSARY TO PREVENT OVERFISHING WHILE
ACHIEVING, ON A CONTINUING BASIS, THE OPTIMUM YIELD FROM
EACH FISHERY. SUCH MEASURES MAY INCLUDE, INTER ALIA:

(A) DESIGNATED AREAS WHERE, AND PERIODS
WHEN, FISHING SHALL BE PERMITTED, LIMITED,
OR CONDUCTED ONLY BY SPECIFIED TYPES OF
FISHING VESSELS OR WITH SPECIFIED TYPES
AND QUANTITIES OF FISHING GEAR;

(B) LIMITATIONS ON THE CATCH OF FISH BASED ON
AREA, SPECIES, SIZE, NUMBER, WEIGHT, SEX,
INCIDENTAL CATCH, TOTAL BIOMASS OR OTHER
FACTORS;

(C) LIMITATIONS ON THE NUMBER AND TYPES OF
FISHING VESSELS THAT MAY ENGAGE IN FISHING
AND/OR ON THE NUMBER OF DAYS EACH VESSEL
OR THE TOTAL FLEET MAY ENGAGE IN FISHING
IN A DESIGNATED AREA WITHIN THE FISHERY
CONSERVATION ZONE OR FOR A SPECIFIED
FISHERY;

(D) REQUIREMENTS AS TO THE TYPES OF GEAR THAT
MAY, OR MAY NOT, BE EMPLOYED;

(E) REQUIREMENTS DESIGNED TO FACILITATE ENFORCE-
MENT OF SUCH CONDITIONS AND RESTRICTIONS,
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INCLUDING THE MAINTENANCE OF APPROPRIATE
POSITION-FIXING AND IDENTIFICATION
EQUIPMENT.

4) THE GOVERNMENT OF THE UNITED STATES SHALL
NOTIFY THE GOVERNMENT OF-----OF THE DETERMINATIONS
PROVIDED FOR BY THIS ARTICLE ON A TIMELY BASIS.

- ARTICLE IV

IN DETERMINING THE PORTION OF THE SURPLUS THAT MAY
BE MADE AVAILABLE TO VESSELS OF-----AND OTHER
COUNTRIES, THE GOVERNMENT OF THE UNITED STATES WILL
PROMOTE THE OBJECTIVE OF OPTIMUM UTILIZATION, TAKING
INTO ACCOUNT, INTER ALIA, TRADITIONAL FISHING, IF ANY,
CONTRIBUTIONS TO FISHERY RESEARCH AND THE IDENTIFICATION
OF STOCKS, PREVIOUS COOPERATION IN ENFORCEMENT AND WITH
RESPECT TO CONSERVATION AND MANAGEMENT OF FISHERY
RESOURCES OF MUTUAL CONCERN, AND THE NEED TO MINIMIZE
ECONOMIC DISLOCATION IN CASES WHERE VESSELS HAVE
HABITUALLY FISHED FOR LIVING RESOURCES OVER WHICH THE

UNITED STATES NOW EXERCISES FISHERY MANAGEMENT AUTHORITY.

ARTICLE V

THE GOVERNMENT OF-----SHALL TAKE ALL NECESSARY
MEASURES TO ENSURE:

(A) THAT NATIONALS AND VESSELS OF-----REFRAIN
FROM FISHING FOR LIVING RESOURCES OVER WHICH
THE UNITED STATES EXERCISES FISHERIES MANAGEMENT
AUTHORITY EXCEPT AS AUTHORIZED PURSUANT TO THIS
AGREEMENT;

(B) THAT ALL SUCH VESSELS SO AUTHORIZED COMPLY
WITH THE PROVISIONS OF PERMITS ISSUED PURSUANT
TO THIS AGREEMENT AND APPLICABLE LAWS OF THE
UNITED STATES; AND

(C) THAT THE TOTAL ALLOCATION REFERRED TO IN
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ARTICLE III, PARAGRAPH 2 (D) OF THIS AGREEMENT

IS NOT EXCEEDED FOR ANY FISHERY.

ARTICLE VI

1) THE GOVERNMENT OF-----MAY SUBMIT AN APPLICATION TO THE GOVERNMENT OF THE UNITED STATES FOR A PERMIT FOR EACH-----FISHING VESSEL THAT WISHES TO ENGAGE IN FISHING IN THE FISHERY CONSERVATION ZONE PURSUANT TO THIS AGREEMENT. SUCH APPLICATION SHALL BE PREPARED AND PROCESSED IN ACCORDANCE WITH ANNEX I TO THIS AGREEMENT, WHICH SHALL CONSTITUTE AN INTEGRAL PART HEREOF. THE GOVERNMENT OF THE UNITED STATES MAY REQUIRE THE PAYMENT OF REASONABLE FEES FOR SUCH PERMITS.

ARTICLE VII

THE GOVERNMENT OF-----SHALL ENSURE THAT NATIONALS AND VESSELS OF-----REFRAIN FROM HARASSING, HUNTING, CAPTURING, OR KILLING, OR ATTEMPTING TO HARASS, HUNT, CAPTURE OR KILL, ANY MARINE MAMMAL WITHIN THE UNITED STATES FISHERY CONSERVATION ZONE, EXCEPT AS MAY BE OTHERWISE PROVIDED BY AN INTERNATIONAL AGREEMENT RESPECTING MARINE MAMMALS TO WHICH THE UNITED STATES IS A PARTY, OR IN ACCORDANCE WITH SPECIFIC AUTHORIZATION FOR AND CONTROLS ON INCIDENTAL TAKING OF MARINE MAMMALS ESTABLISHED BY THE GOVERNMENT OF THE UNITED STATES.

ARTICLE VIII

THE GOVERNMENT OF-----SHALL ENSURE THAT IN THE CONDUCT OF THE FISHERIES UNDER THIS AGREEMENT:

- 1) THE AUTHORIZING PERMIT FOR EACH-----VESSEL IS PROMINENTLY DISPLAYED IN THE WHEELHOUSE OF SUCH VESSEL;
- 2) APPROPRIATE POSITION-FIXING AND IDENTIFICATION EQUIPMENT, AS DETERMINED BY THE UNITED STATES GOVERNMENT IS INSTALLED AND MAINTAINED IN WORKING ORDER ON EACH SUCH VESSEL;
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- 3) DESIGNATED UNITED STATES OBSERVERS ARE PERMITTED TO BOARD, UPON REQUEST, ANY SUCH FISHING VESSEL, AND SHALL BE ACCORDED THE EQUIVALENT RANK OF SHIP'S OFFICER WHILE ABOARD SUCH VESSEL, AND, FURTHER, THE UNITED STATES GOVERNMENT SHALL BE REIMBURSED FOR THE COSTS INCURRED IN THE UTILIZATION OF OBSERVERS;

- 4) AGENTS ARE APPOINTED AND MAINTAINED WITHIN THE UNITED STATES POSSESSING THE AUTHORITY TO RECEIVE AND

RESPOND TO ANY LEGAL PROCESS ISSUED IN THE UNITED STATES WITH RESPECT TO A VESSEL OWNER OR OPERATOR FOR ANY CAUSE ARISING OUT OF THE CONDUCT OF FISHING ACTIVITIES UNDER THIS AGREEMENT; AND

5) ALL NECESSARY MEASURES ARE TAKEN TO ENSURE THE PROMPT AND ADEQUATE COMPENSATION OF UNITED STATES CITIZENS FOR ANY LOSS OF, OR DAMAGE TO, THEIR FISHING VESSELS, FISHING GEAR OR CATCH THAT IS PROXIMATELY CAUSED BY ANY FISHING VESSEL OF-----.

ARTICLE IX

1) THE GOVERNMENT OF-----SHALL TAKE SUCH MEASURES AS MAY BE NECESSARY TO ENSURE THAT EACH -----VESSEL AUTHORIZED TO FISH PURSUANT TO THIS AGREEMENT, AND ANY OTHER-----FISHING VESSEL THAT ENGAGES IN FISHING FOR LIVING RESOURCES SUBJECT TO THE FISHERY MANAGEMENT AUTHORITY OF THE UNITED STATES, SHALL ALLOW AND ASSIST THE BOARDING AND INSPECTION OF SUCH VESSEL BY ANY DULY AUTHORIZED ENFORCEMENT OFFICIAL OF THE UNITED STATES, AND SHALL COOPERATE IN SUCH ENFORCEMENT ACTION AS MAY BE UNDERTAKEN PURSUANT TO THE LAWS OF THE UNITED STATES.

2) IN CASES OF SEIZURE AND ARREST OF A VESSEL OF -----BY THE AUTHORITIES OF THE UNITED STATES GOVERNMENT, NOTIFICATION SHALL BE GIVEN PROMPTLY THROUGH DIPLOMATIC CHANNELS INFORMING THE GOVERNMENT OF

-----OF THE ACTION TAKEN AND OF ANY PENALTIES
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SUBSEQUENTLY IMPOSED.

ARTICLE X

1) THE GOVERNMENT OF THE UNITED STATES WILL IMPOSE APPROPRIATE PENALTIES, IN ACCORDANCE WITH THE LAWS OF THE UNITED STATES, ON VESSELS OR THEIR OWNERS OR OPERATORS, THAT VIOLATE THE REQUIREMENTS OF THIS AGREEMENT OR OF ANY PERMIT HEREUNDER.

2) ARRESTED VESSELS AND THEIR CREWS SHALL BE PROMPTLY RELEASED, SUBJECT TO SUCH REASONABLE BOND OR OTHER SECURITY AS MAY BE DETERMINED BY THE COURT.

3) THE REPRESENTATIVES OF THE UNITED STATES WILL RECOMMEND TO THE COURT IN ANY CASE ARISING OUT OF FISHING ACTIVITIES UNDER THIS AGREEMENT THAT THE PENALTY FOR VIOLATION OF FISHERY REGULATIONS NOT INCLUDE IMPRISON-

MENT OR ANY OTHER FORM OF CORPORAL PUNISHMENT.

ARTICLE XI

THE GOVERNMENT OF-----UNDERTAKES TO COOPERATE WITH THE UNITED STATES GOVERNMENT IN THE CONDUCT OF SCIENTIFIC RESEARCH REQUIRED FOR THE PURPOSE OF MANAGING AND CONSERVING LIVING RESOURCES SUBJECT TO THE FISHERY MANAGEMENT AUTHORITY OF THE UNITED STATES, INCLUDING THE COMPILATION OF BEST AVAILABLE SCIENTIFIC INFORMATION FOR THE MANAGEMENT AND CONSERVATION OF STOCKS OF MUTUAL CONCERN. THE COMPETENT AGENCIES OF THE TWO GOVERNMENTS SHALL ENTER INTO SUCH ARRANGEMENTS AS MAY BE NECESSARY TO FACILITATE SUCH COOPERATION, INCLUDING THE EXCHANGE OF INFORMATION AND SCIENTISTS, REGULARLY SCHEDULED MEETINGS BETWEEN SCIENTISTS TO PREPARE RESEARCH PLANS AND REVIEW PROGRESS, AND THE IMPLEMENTATION AND MAINTENANCE OF A STANDARDIZED SYSTEM FOR THE COLLECTION AND ARCHIVING OF RELEVANT STATISTICAL AND BIOLOGICAL INFORMATION IN ACCORDANCE WITH THE PRACTICE OF UNITED STATES SCIENTISTS.

ARTICLE XII

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THE UNITED STATES GOVERNMENT AND THE GOVERNMENT OF -----SHALL CARRY OUT PERIODIC BILATERAL CONSULTATIONS REGARDING THE IMPLEMENTATION OF THIS AGREEMENT AND THE DEVELOPMENT OF FURTHER COOPERATION IN THE FIELD OF FISHERIES OF MUTUAL CONCERN, INCLUDING THE ESTABLISHMENT OF APPROPRIATE MULTILATERAL ORGANIZATIONS FOR THE COLLECTION AND ANALYSIS OF SCIENTIFIC DATA RESPECTING

SUCH FISHERIES.

ARTICLE XIII

THE GOVERNMENT OF THE UNITED STATES UNDERTAKES TO AUTHORIZE-----FISHING VESSELS ALLOWED TO FISH PURSUANT TO THIS AGREEMENT TO ENTER DESIGNATED PORTS IN ACCORDANCE WITH UNITED STATES LAWS FOR THE PURPOSE OF PURCHASING BAIT, SUPPLIES, OR OUTFITS, OR EFFECTING REPAIRS, OR FOR SUCH OTHER PURPOSES AS MAY BE AUTHORIZED.

ARTICLE XIV

SHOULD THE GOVERNMENT OF THE UNITED STATES INDICATE TO THE GOVERNMENT OF-----THAT ITS NATIONALS AND VESSELS WISH TO ENGAGE IN FISHING IN THE FISHERY CONSERVATION ZONE OF-----OR ITS EQUIVALENT, THE GOVERNMENT OF-----WILL ALLOW SUCH FISHING ON

THE BASIS OF RECIPROCITY AND ON TERMS NOT MORE RESTRICTIVE
THAN THOSE ESTABLISHED IN ACCORDANCE WITH THIS AGREEMENT.

ARTICLE XV

NOTHING CONTAINED IN THE PRESENT AGREEMENT SHALL
AFFECT OR PREJUDICE IN ANY MANNER THE POSITIONS OF EITHER
GOVERNMENT WITH RESPECT TO THE EXTENT OF INTERNAL WATERS,
OF THE TERRITORIAL SEA, OF THE HIGH SEAS, OR OF COASTAL
STATE JURISDICTION OR AUTHORITY FOR ANY PURPOSE OTHER
THAN THE CONSERVATION AND MANAGEMENT OF FISHERIES.

ARTICLE XVI

1) THIS AGREEMENT SHALL ENTER INTO FORCE ON A
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DATE TO BE MUTUALLY AGREED BY EXCHANGE OF NOTES, UPON
THE COMPLETION OF THE INTERNAL PROCEDURES OF BOTH
PARTIES, AND SHALL REMAIN IN FORCE UNTIL JULY 1, 1982
UNLESS TERMINATED SOONER BY EITHER PARTY AFTER GIVING
NOTIFICATION OF SUCH TERMINATION SIX MONTHS IN ADVANCE.

2) THIS AGREEMENT SHALL BE SUBJECT TO REVIEW BY
THE TWO GOVERNMENTS TWO YEARS AFTER ITS ENTRY INTO FORCE
OR UPON THE CONCLUSION OF A MULTILATERAL TREATY RESULTING
FROM THE THIRD UNITED NATIONS CONFERENCE ON THE LAW OF
THE SEA.

ANNEX I

THE FOLLOWING PROCEDURES SHALL GOVERN THE APPLICA-
TION FOR AND ISSUANCE OF ANNUAL PERMITS AUTHORIZING
-----VESSELS TO ENGAGE IN FISHING FOR LIVING
RESOURCES OVER WHICH THE UNITED STATES EXERCISES FISHERY
MANAGEMENT AUTHORITY:

1. THE GOVERNMENT OF-----MAY SUBMIT AN
APPLICATION TO THE GOVERNMENT OF THE UNITED STATES FOR
EACH-----FISHING VESSEL THAT WISHES TO ENGAGE IN
FISHING PURSUANT TO THIS AGREEMENT. SUCH APPLICATION
SHALL BE MADE ON FORMS PROVIDED BY THE GOVERNMENT OF
THE UNITED STATES FOR THAT PURPOSE.

2. ANY SUCH APPLICATION SHALL SPECIFY -

(A) THE NAME AND OFFICIAL NUMBER OR OTHER
IDENTIFICATION OF EACH FISHING VESSEL
FOR WHICH A PERMIT IS SOUGHT, TOGETHER
WITH THE NAME AND ADDRESS OF THE OWNER
AND OPERATOR THEREOF;

(B) THE TONNAGE, CAPACITY, SPEED, PROCESSING
EQUIPMENT, TYPE AND QUANTITY OF FISHING
GEAR, AND SUCH OTHER INFORMATION RELATING
TO THE FISHING CHARACTERISTICS OF THE
VESSEL AS MAY BE REQUESTED;

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(C) A SPECIFICATION OF EACH FISHERY IN WHICH
EACH SUCH VESSEL WISHES TO FISH;

(D) THE AMOUNT OF FISH OR TONNAGE OF CATCH
BY SPECIES CONTEMPLATED FOR EACH SUCH
VESSEL DURING THE TIME SUCH PERMIT IS
IN FORCE;

(E) THE OCEAN AREA IN WHICH, AND THE SEASON
OR PERIOD DURING WHICH, SUCH FISHING
WOULD BE CONDUCTED;

(F) SUCH OTHER RELEVANT INFORMATION AS MAY
BE REQUESTED.

3. THE GOVERNMENT OF THE UNITED STATES SHALL
REVIEW EACH APPLICATION, SHALL DETERMINE WHAT CONDITION
AND RESTRICTIONS RELATED TO FISHERY MANAGEMENT AND CON-
SERVATION MAY BE NEEDED, AND WHAT FEE WILL BE REQUIRED.
THE GOVERNMENT OF THE UNITED STATES SHALL INFORM THE
GOVERNMENT OF-----OF SUCH DETERMINATIONS.

4. THE GOVERNMENT OF-----SHALL THEREUPON NOTIFY
THE GOVERNMENT OF THE UNITED STATES OF ITS ACCEPTANCE

OR REJECTION OF SUCH CONDITIONS AND RESTRICTIONS AND,
IN THE CASE OF A REJECTION OF ITS OBJECTIONS THERETO.

5. UPON ACCEPTANCE OF THE CONDITIONS AND RESTRICTIONS
BY THE GOVERNMENT OF-----AND THE PAYMENT OF ANY FEES,
THE GOVERNMENT OF THE UNITED STATES SHALL APPROVE THE
APPLICATION AND ISSUE A PERMIT FOR EACH-----FISHING
VESSEL, WHICH FISHING VESSEL SHALL THEREUPON BE AUTHORIZED
TO FISH IN ACCORDANCE WITH THIS AGREEMENT AND THE TERMS
AND CONDITIONS SET FORTH IN THE PERMIT. SUCH PERMITS
SHALL BE ISSUED FOR A SPECIFIC VESSEL AND SHALL NOT BE
TRANSFERRED.

6. IN THE EVENT THE GOVERNMENT OF-----NOTIFIES
THE UNITED STATES OF ITS OBJECTIONS TO SPECIFIC CONDI-
TIONS AND RESTRICTIONS, THE TWO GOVERNMENTS MAY CONSULT
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WITH RESPECT THERETO AND THE GOVERNMENT OF-----MAY
THEREUPON SUBMIT A REVISED APPLICATION.

7. THE PROCEDURES IN THIS ANNEX MAY BE AMENDED
BY AGREEMENT THROUGH AN EXCHANGE OF NOTES BETWEEN THE
TWO GOVERNMENTS.

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